## **REMARKS**

Claims 1-9 are pending. Claims 4 and 5 have been withdrawn from consideration.

In the Office Action, the Examiner required an election of species between Benign Prostatic Hyperplasia ("BHP") and prostatitis. Applicants hereby elect BHP (readable on claims 1-2 and 6-8) without traverse. It is the Applicants' understanding that if claim 8 is found allowable, the Examiner will examine the claims that recite the non-elected species.

The applicants respectfully request reconsideration and allowance in view of the above remarks and amendments. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 50-4711.

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Dated: February 4, 2009 /Edward D. Pergament/ Edward D. Pergament

(Reg. No. 43,346)